

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TERRI M. CUSTER,

Defendant.

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CRIMINAL NO. 03-30131-WDS

ORDER

STIEHL, District Judge:

This matter is before the Court for consideration of medical reports filed in support of defendant's Tenth Motion for Extension of Time to Report to the Bureau of Prisons. On October 28, 2005, the Court stayed the execution of the defendant's sentence until January 9, 2006. The defendant has now filed additional information concerning her medical condition, including the report of Joseph I. Sirven, M.D., from the Department of Neurology at the Mayo Clinic Hospital, Phoenix, Arizona. In that report, Dr. Sirven states that the defendant requires a brain biopsy, and is currently scheduled to undergo this procedure on January 23, 2006, at the Mayo clinic.

The government has filed a response to the motion for an extension of time to report indicating that the Bureau of Prisons can adequately accommodate defendant's medical needs during incarceration, and that if the Bureau of Prisons cannot provide for her medical needs then the Director of the Bureau of Prisons will move, pursuant to 18 U.S.C. § 3582(c)(1)(A), for a reduction in her term of imprisonment.

Upon review of the record, and given the nature of the procedures which are detailed in

Dr. Sirven's report, the Court **FINDS** that it is appropriate to stay the defendant's sentence one additional time to allow her to undergo this procedure and the diagnosis thereafter.

Accordingly, the Court **STAYS** the execution of the defendant's sentence until Monday, May 15, 2006, and **DIRECTS** the defendant to report on that date to the institution at the time and place designated by the Bureau of Prisons and as the defendant is notified by the United States Marshals Service. Defendant's motion to shorten time to respond is **DENIED** as moot.

IT IS SO ORDERED.

DATED: January 6, 2006.

s/ WILLIAM D. STIEHL
DISTRICT JUDGE